

April 26 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

**IN THE SUPREME COURT OF THE
STATE OF MONTANA
Supreme Court No. DA 10-0063**

DANIEL and ELAINE BADLEY,

Plaintiff and Appellee,

-VS-

CLINTON JOHN MORRIS,

Defendant and Appellant.

FILED

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MOTION FOR EXTENSION OF TIME

Defendant/Appellant respectfully moves the Court for a 30-day extension of time in which to file his opening brief in the above-referenced matter pursuant to Montana Rules of Appellate Procedure 21(b), up to and including May 31, 2010. The reason for the requested extension is due to the press of other business, which would make it very difficult for Appellant's attorney to complete the brief on schedule.

Counsel for the Appellee, Anne Biby, has been contacted and does not oppose this Motion.

DATED this 23 day of April, 2010.

MORRISON & FRAMPTON, PLLP
Attorneys for Defendant/Appellant

By: 

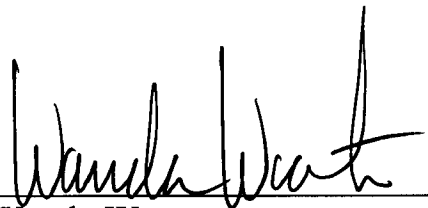
Sean S. Frampton
341 Central Avenue
Whitefish, MT 59937
Telephone (406) 862-9600

CERTIFICATE OF MAILING

The undersigned does hereby certify that on the 23rd day of April, 2010, a true and correct copy of the foregoing document was served upon the persons named below, at the addresses set out below their names, either by mailing, hand delivery, or Federal Express, in a properly addressed envelope, postage prepaid, or by telecopying, as indicated below.

Anne G. Biby
Hash, O'Brien & Biby, PLLP
PO Box 1178
Kalispell, MT 59903-1178

☒ U.S. Mail (first class postage)



Wanda Wooten
Morrison & Frampton, PLLP